

AMENDED IN SENATE AUGUST 12, 2010

AMENDED IN ASSEMBLY APRIL 14, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2167

Introduced by Assembly Member Nava

February 18, 2010

An act to amend, repeal, and add Sections 4992.1, 4996.1, 4996.3, 4996.4, and 4996.17 of the Business and Professions Code, relating to clinical social workers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2167, as amended, Nava. Clinical social workers: examination requirements.

Existing law, the Clinical Social Worker Practice Act, provides for the licensure and regulation of social workers by the Board of Behavioral Sciences. Existing law requires the board to issue a license to each applicant meeting specified requirements who successfully passes a board administered standard written or oral examination or both examinations and existing law also provides for a clinical vignette written examination for these applicants. Under existing law, the fee for the standard written examination is \$150 and the fee for the clinical vignette written examination is \$100.

This bill would, on and after January 1, 2014, if the board makes a specified determination, instead require the board to issue a license to each applicant meeting specified requirements who successfully passes the Association of Social Work Boards Clinical Level Exam administered by the Association of Social Work Boards and a separate California jurisprudence and ethics examination incorporated or

developed and administered by the board. The bill would provide a maximum \$100 fee for the jurisprudence and ethics examination. The bill would also make conforming changes.

This bill would incorporate additional changes in Section 4996.3 of the Business and Professions Code proposed by AB 2191, to be operative if AB 2191 and this bill become effective on or before January 1, 2011, and this bill is enacted last.

This bill would incorporate additional changes in Section 4996.17 of the Business and Professions Code proposed by SB 1489, to be operative if SB 1489 and this bill become effective on or before January 1, 2011, and this bill is enacted last.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4992.1 of the Business and Professions
- 2 Code is amended to read:
- 3 4992.1. (a) Only individuals who have the qualifications
- 4 prescribed by the board under this chapter are eligible to take the
- 5 examination.
- 6 (b) Every applicant who is issued a clinical social worker license
- 7 shall be examined by the board.
- 8 (c) Notwithstanding any other provision of law, the board may
- 9 destroy all examination materials two years following the date of
- 10 an examination.
- 11 (d) The board shall not deny any applicant, whose application
- 12 for licensure is complete, admission to the standard written
- 13 examination, nor shall the board postpone or delay any applicant's
- 14 standard written examination or delay informing the candidate of
- 15 the results of the standard written examination, solely upon the
- 16 receipt by the board of a complaint alleging acts or conduct that
- 17 would constitute grounds to deny licensure.
- 18 (e) If an applicant for examination who has passed the standard
- 19 written examination is the subject of a complaint or is under board
- 20 investigation for acts or conduct that, if proven to be true, would
- 21 constitute grounds for the board to deny licensure, the board shall
- 22 permit the applicant to take the clinical vignette written
- 23 examination for licensure, but may withhold the results of the

1 examination or notify the applicant that licensure will not be
2 granted pending completion of the investigation.

3 (f) Notwithstanding Section 135, the board may deny any
4 applicant who has previously failed either the standard written or
5 clinical vignette written examination permission to retake either
6 examination pending completion of the investigation of any
7 complaint against the applicant. Nothing in this section shall
8 prohibit the board from denying an applicant admission to any
9 examination, withholding the results, or refusing to issue a license
10 to any applicant when an accusation or statement of issues has
11 been filed against the applicant pursuant to Section 11503 or 11504
12 of the Government Code, or the applicant has been denied in
13 accordance with subdivision (b) of Section 485.

14 (g) On or after January 1, 2002, no applicant shall be eligible
15 to participate in a clinical vignette written examination if his or
16 her passing score on the standard written examination occurred
17 more than seven years before.

18 (h) This section shall become inoperative on the date that Section
19 4996.1, as added by Section 4 of the act adding this subdivision,
20 becomes operative.

21 (i) This section is repealed as of the January 1 following the
22 date that it becomes inoperative.

23 SEC. 2. Section 4992.1 is added to the Business and Professions
24 Code, to read:

25 4992.1. (a) Only individuals who have the qualifications
26 prescribed by the board under this chapter are eligible to take the
27 examination.

28 (b) Notwithstanding any other provision of law, the board may
29 destroy all examination materials two years following the date of
30 an examination.

31 (c) If an applicant who has passed the examination described
32 in paragraph (1) of subdivision (a) of Section 4996.1 is the subject
33 of a complaint or is under board investigation for acts or conduct
34 that, if proven to be true, would constitute grounds for the board
35 to deny licensure, the board shall permit the applicant to take the
36 California jurisprudence and ethics examination, but may withhold
37 the results of the examination or notify the applicant that licensure
38 will not be granted pending completion of the investigation.

39 (d) Notwithstanding Section 135, the board may deny any
40 applicant who has previously failed the examination permission

1 to retake the examination pending completion of the investigation
2 of any complaint against the applicant. Nothing in this section
3 shall prohibit the board from denying an applicant admission to
4 any examination, withholding the results, or refusing to issue a
5 license to any applicant when an accusation or statement of issues
6 has been filed against the applicant pursuant to Section 11503 or
7 11504 of the Government Code, or the applicant has been denied
8 in accordance with subdivision (b) of Section 485.

9 (e) This section shall become operative on the date that Section
10 4996.1, as added by Section 4 of the act adding this subdivision,
11 becomes operative.

12 SEC. 3. Section 4996.1 of the Business and Professions Code
13 is amended to read:

14 4996.1. (a) The board shall issue a clinical social worker
15 license to each applicant who qualifies pursuant to this article and
16 successfully passes a ~~board-administered~~ *board-administered*
17 written or oral examination or both examinations. An applicant
18 who has successfully passed a previously administered written
19 examination may be subsequently required to take and pass another
20 written examination.

21 (b) This section shall become inoperative on the date that Section
22 4996.1, as added by Section 4 of the act adding this subdivision,
23 becomes operative.

24 (c) This section is repealed as of the January 1 following the
25 date that it becomes inoperative.

26 SEC. 4. Section 4996.1 is added to the Business and Professions
27 Code, to read:

28 4996.1. (a) The board shall issue a clinical social worker
29 license to each applicant who qualifies pursuant to this article and
30 successfully passes both of the following:

31 (1) The Association of Social Work Boards Clinical Level Exam
32 administered by the Association of Social Work Boards.

33 (2) A California jurisprudence and ethics examination
34 incorporated or developed and administered by the board.

35 (b) For the purposes of this chapter, the term “examination” or
36 “examinations” shall include both examinations described in
37 subdivision (a).

38 (c) This section shall become operative on January 1, 2014,
39 only if the board determines by December 1, 2013, by regulation,
40 that the examination described in paragraph (1) of subdivision (a)

1 meets the prevailing standards for validation and use of the
2 licensing and certification tests in California. The board shall
3 immediately post this determination on the main page of its Internet
4 Web site.

5 SEC. 5. Section 4996.3 of the Business and Professions Code
6 is amended to read:

7 4996.3. (a) The board shall assess the following fees relating
8 to the licensure of clinical social workers:

9 (1) The application fee for registration as an associate clinical
10 social worker shall be seventy-five dollars (\$75).

11 (2) The fee for renewal of an associate clinical social worker
12 registration shall be seventy-five dollars (\$75).

13 (3) The fee for application for examination eligibility shall be
14 one hundred dollars (\$100).

15 (4) The fee for the standard written examination shall be a
16 maximum of one hundred fifty dollars (\$150). The fee for the
17 clinical vignette examination shall be one hundred dollars (\$100).

18 (A) An applicant who fails to appear for an examination, after
19 having been scheduled to take the examination, shall forfeit the
20 examination fees.

21 (B) The amount of the examination fees shall be based on the
22 actual cost to the board of developing, purchasing, and grading
23 each examination and the actual cost to the board of administering
24 each examination. The written examination fees shall be adjusted
25 periodically by regulation to reflect the actual costs incurred by
26 the board.

27 (5) The fee for rescoring an examination shall be twenty dollars
28 (\$20).

29 (6) The fee for issuance of an initial license shall be a maximum
30 of one hundred fifty-five dollars (\$155).

31 (7) The fee for license renewal shall be a maximum of one
32 hundred fifty-five dollars (\$155).

33 (8) The fee for inactive license renewal shall be a maximum of
34 seventy-seven dollars and fifty cents (\$77.50).

35 (9) The renewal delinquency fee shall be seventy-five dollars
36 (\$75). A person who permits his or her license to expire is subject
37 to the delinquency fee.

38 (10) The fee for issuance of a replacement registration, license,
39 or certificate shall be twenty dollars (\$20).

(11) The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars (\$25).

(b) With regard to license, examination, and other fees, the board shall establish fee amounts at or below the maximum amounts specified in this chapter.

(c) This section shall become inoperative on the date that Section 4996.1, as added by Section 4 of the act adding this subdivision, becomes operative.

(d) This section is repealed as of the January 1 following the date that it becomes inoperative.

SEC. 5.5. Section 4996.3 of the Business and Professions Code is amended to read:

4996.3. (a) The board shall assess the following fees relating to the licensure of clinical social workers:

(1) The application fee for registration as an associate clinical social worker shall be seventy-five dollars (\$75).

(2) The fee for renewal of an associate clinical social worker registration shall be seventy-five dollars (\$75).

(3) The fee for application for examination eligibility shall be one hundred dollars (\$100).

(4) The fee for the standard written examination shall be a maximum of one hundred fifty dollars (\$150). The fee for the clinical vignette examination shall be one hundred dollars (\$100).

(A) An applicant who fails to appear for an examination, after having been scheduled to take the examination, shall forfeit the examination fees.

(B) The amount of the examination fees shall be based on the actual cost to the board of developing, purchasing, and grading each examination and the actual cost to the board of administering each examination. The written examination fees shall be adjusted periodically by regulation to reflect the actual costs incurred by the board.

(5) The fee for rescoring an examination shall be twenty dollars (\$20).

(6) The fee for issuance of an initial license shall be a maximum of one hundred fifty-five dollars (\$155).

(7) The fee for license renewal shall be a maximum of one hundred fifty-five dollars (\$155).

(8) The fee for inactive license renewal shall be a maximum of seventy-seven dollars and fifty cents (\$77.50).

1 (9) The renewal delinquency fee shall be seventy-five dollars
2 (\$75). A person who permits his or her license to expire is subject
3 to the delinquency fee.

4 (10) The fee for issuance of a replacement registration, license,
5 or certificate shall be twenty dollars (\$20).

6 (11) The fee for issuance of a certificate or letter of good
7 standing shall be twenty-five dollars (\$25).

8 (12) *The fee for issuance of a retired license shall be forty*
9 *dollars (\$40).*

10 (b) With regard to license, examination, and other fees, the
11 board shall establish fee amounts at or below the maximum
12 amounts specified in this chapter.

13 (c) *This section shall become inoperative on the date that Section*
14 *4996.1, as added by Section 4 of the act adding this subdivision,*
15 *becomes operative.*

16 (d) *This section is repealed as of the January 1 following the*
17 *date that it becomes inoperative.*

18 SEC. 6. Section 4996.3 is added to the Business and Professions
19 Code, to read:

20 4996.3. (a) The board shall assess the following fees relating
21 to the licensure of clinical social workers:

22 (1) The application fee for registration as an associate clinical
23 social worker shall be seventy-five dollars (\$75).

24 (2) The fee for renewal of an associate clinical social worker
25 registration shall be seventy-five dollars (\$75).

26 (3) The fee for application for examination eligibility shall be
27 one hundred dollars (\$100).

28 (4) The fee for the California jurisprudence and ethics
29 examination shall be a maximum of one hundred dollars (\$100).

30 (A) An applicant who fails to appear for an examination, after
31 having been scheduled to take the examination, shall forfeit the
32 examination fees.

33 (B) The amount of the California jurisprudence and ethics
34 examination fees shall be based on the actual cost to the board of
35 developing, purchasing, and grading that examination and the
36 actual cost to the board of administering each California
37 jurisprudence and ethics examination. The California jurisprudence
38 and ethics examination fees shall be adjusted periodically by
39 regulation to reflect the actual costs incurred by the board.

(5) The fee for issuance of an initial license shall be a maximum of one hundred fifty-five dollars (\$155).

(6) The fee for license renewal shall be a maximum of one hundred fifty-five dollars (\$155).

(7) The fee for inactive license renewal shall be a maximum of seventy-seven dollars and fifty cents (\$77.50).

(8) The renewal delinquency fee shall be seventy-five dollars (\$75). A person who permits his or her license to expire is subject to the delinquency fee.

(9) The fee for issuance of a replacement registration, license, or certificate shall be twenty dollars (\$20).

(10) The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars (\$25).

(b) With regard to license, examination, and other fees, the board shall establish fee amounts at or below the maximum amounts specified in this chapter.

(c) This section shall become operative on the date that Section 4996.1, as added by Section 4 of the act adding this subdivision, becomes operative.

SEC. 6.5. Section 4996.3 is added to the Business and Professions Code, to read:

4996.3. (a) The board shall assess the following fees relating to the licensure of clinical social workers:

(1) The application fee for registration as an associate clinical social worker shall be seventy-five dollars (\$75).

(2) The fee for renewal of an associate clinical social worker registration shall be seventy-five dollars (\$75).

(3) The fee for application for examination eligibility shall be one hundred dollars (\$100).

(4) The fee for the California jurisprudence and ethics examination shall be a maximum of one hundred dollars (\$100).

(A) An applicant who fails to appear for an examination, after having been scheduled to take the examination, shall forfeit the examination fees.

(B) The amount of the California jurisprudence and ethics examination fees shall be based on the actual cost to the board of developing, purchasing, and grading that examination and the actual cost to the board of administering each California jurisprudence and ethics examination. The California jurisprudence and ethics examination fees shall be adjusted

1 *periodically by regulation to reflect the actual costs incurred by*
2 *the board.*

3 *(5) The fee for issuance of an initial license shall be a maximum*
4 *of one hundred fifty-five dollars (\$155).*

5 *(6) The fee for license renewal shall be a maximum of one*
6 *hundred fifty-five dollars (\$155).*

7 *(7) The fee for inactive license renewal shall be a maximum of*
8 *seventy-seven dollars and fifty cents (\$77.50).*

9 *(8) The renewal delinquency fee shall be seventy-five dollars*
10 *(\$75). A person who permits his or her license to expire is subject*
11 *to the delinquency fee.*

12 *(9) The fee for issuance of a replacement registration, license,*
13 *or certificate shall be twenty dollars (\$20).*

14 *(10) The fee for issuance of a certificate or letter of good*
15 *standing shall be twenty-five dollars (\$25).*

16 *(11) The fee for issuance of a retired license shall be forty*
17 *dollars (\$40).*

18 *(b) With regard to license, examination, and other fees, the*
19 *board shall establish fee amounts at or below the maximum*
20 *amounts specified in this chapter.*

21 *(c) This section shall become operative on the date that Section*
22 *4996.1, as added by Section 4 of the act adding this subdivision,*
23 *becomes operative.*

24 SEC. 7. Section 4996.4 of the Business and Professions Code
25 is amended to read:

26 4996.4. (a) An applicant who fails a standard or clinical
27 vignette written examination may within one year from the
28 notification date of failure, retake that examination as regularly
29 scheduled, without further application, upon payment of the
30 required examination fees. Thereafter, the applicant shall not be
31 eligible for further examination until he or she files a new
32 application, meets all current requirements, and pays all required
33 fees.

34 (b) This section shall become inoperative on the date that Section
35 4996.1, as added by Section 4 of the act adding this subdivision,
36 becomes operative.

37 (c) This section is repealed as of the January 1 following the
38 date that it becomes inoperative.

39 SEC. 8. Section 4996.4 is added to the Business and Professions
40 Code, to read:

1 4996.4. (a) An applicant who fails the examination may within
2 one year from the notification date of failure, retake that
3 examination as regularly scheduled, without further application,
4 upon payment of the required examination fees. Thereafter, the
5 applicant shall not be eligible for further examination until he or
6 she files a new application, meets all current requirements, and
7 pays all required fees.

8 (b) This section shall become operative on the date that Section
9 4996.1, as added by Section 4 of the act adding this subdivision,
10 becomes operative.

11 SEC. 9. Section 4996.17 of the Business and Professions Code
12 is amended to read:

13 4996.17. (a) Experience gained outside of California shall be
14 accepted toward the licensure requirements if it is substantially
15 the equivalent of the requirements of this chapter.

16 (b) The board may issue a license to any person who, at the time
17 of application, holds a valid active clinical social work license
18 issued by a board of clinical social work examiners or
19 corresponding authority of any state, if the person passes the ~~board~~
20 ~~administered~~ *board-administered* licensing examinations as
21 specified in Section 4996.1 and pays the required fees. Issuance
22 of the license is conditioned upon all of the following:

23 (1) The applicant has supervised experience that is substantially
24 the equivalent of that required by this chapter. If the applicant has
25 less than 3,200 hours of qualifying supervised experience, time
26 actively licensed as a clinical social worker shall be accepted at a
27 rate of 100 hours per month up to a maximum of 1,200 hours.

28 (2) Completion of the following coursework or training in or
29 out of this state:

30 (A) A minimum of seven contact hours of training or coursework
31 in child abuse assessment and reporting as specified in Section 28,
32 and any regulations promulgated thereunder.

33 (B) A minimum of 10 contact hours of training or coursework
34 in human sexuality as specified in Section 25, and any regulations
35 promulgated thereunder.

36 (C) A minimum of 15 contact hours of training or coursework
37 in alcoholism and other chemical substance dependency, as
38 specified by regulation.

1 (D) A minimum of 15 contact hours of coursework or training
2 in spousal or partner abuse assessment, detection, and intervention
3 strategies.

4 (3) The applicant's license is not suspended, revoked, restricted,
5 sanctioned, or voluntarily surrendered in any state.

6 (4) The applicant is not currently under investigation in any
7 other state, and has not been charged with an offense for any act
8 substantially related to the practice of social work by any public
9 agency, entered into any consent agreement or been subject to an
10 administrative decision that contains conditions placed by an
11 agency upon an applicant's professional conduct or practice,
12 including any voluntary surrender of license, or been the subject
13 of an adverse judgment resulting from the practice of social work
14 that the board determines constitutes evidence of a pattern of
15 incompetence or negligence.

16 (5) The applicant shall provide a certification from each state
17 where he or she holds a license pertaining to licensure, disciplinary
18 action, and complaints pending.

19 (6) The applicant is not subject to denial of licensure under
20 Section 480, 4992.3, 4992.35, or 4992.36.

21 (c) The board may issue a license to any person who, at the time
22 of application, has held a valid, active clinical social work license
23 for a minimum of four years, issued by a board of clinical social
24 work examiners or a corresponding authority of any state, if the
25 person passes the ~~board-administered~~ *board-administered* licensing
26 examinations as specified in Section 4996.1 and pays the required
27 fees. Issuance of the license is conditioned upon all of the
28 following:

29 (1) Completion of the following coursework or training in or
30 out of state:

31 (A) A minimum of seven contact hours of training or coursework
32 in child abuse assessment and reporting as specified in Section 28,
33 and any regulations promulgated thereunder.

34 (B) A minimum of 10 contact hours of training or coursework
35 in human sexuality as specified in Section 25, and any regulations
36 promulgated thereunder.

37 (C) A minimum of 15 contact hours of training or coursework
38 in alcoholism and other chemical substance dependency, as
39 specified by regulation.

1 (D) A minimum of 15 contact hours of coursework or training
2 in spousal or partner abuse assessment, detection, and intervention
3 strategies.

4 (2) The applicant has been licensed as a clinical social worker
5 continuously for a minimum of four years prior to the date of
6 application.

7 (3) The applicant's license is not suspended, revoked, restricted,
8 sanctioned, or voluntarily surrendered in any state.

9 (4) The applicant is not currently under investigation in any
10 other state, and has not been charged with an offense for any act
11 substantially related to the practice of social work by any public
12 agency, entered into any consent agreement or been subject to an
13 administrative decision that contains conditions placed by an
14 agency upon an applicant's professional conduct or practice,
15 including any voluntary surrender of license, or been the subject
16 of an adverse judgment resulting from the practice of social work
17 that the board determines constitutes evidence of a pattern of
18 incompetence or negligence.

19 (5) The applicant provides a certification from each state where
20 he or she holds a license pertaining to licensure, disciplinary action,
21 and complaints pending.

22 (6) The applicant is not subject to denial of licensure under
23 Section 480, 4992.3, 4992.35, or 4992.36.

24 (d) This section shall become inoperative on the date that Section
25 4996.1, as added by Section 4 of the act adding this subdivision,
26 becomes operative.

27 (e) This section is repealed as of the January 1 following the
28 date that it becomes inoperative.

29 *SEC. 9.5. Section 4996.17 of the Business and Professions*
30 *Code is amended to read:*

31 4996.17. (a) Experience gained outside of California shall be
32 accepted toward the licensure requirements if it is substantially
33 the equivalent of the requirements of this chapter.

34 (b) The board may issue a license to any person who, at the time
35 of application, holds a valid active clinical social work license
36 issued by a board of clinical social work examiners or
37 corresponding authority of any state, if the person passes the ~~board~~
38 ~~administered~~ board-administered licensing examinations as
39 specified in Section 4996.1 and pays the required fees. Issuance
40 of the license is conditioned upon all of the following:

1 (1) The applicant has supervised experience that is substantially
2 the equivalent of that required by this chapter. If the applicant has
3 less than 3,200 hours of qualifying supervised experience, time
4 actively licensed as a clinical social worker shall be accepted at a
5 rate of 100 hours per month up to a maximum of 1,200 hours.

6 (2) Completion of the following coursework or training in or
7 out of this state:

8 (A) A minimum of seven contact hours of training or coursework
9 in child abuse assessment and reporting as specified in Section 28,
10 and any regulations promulgated thereunder.

11 (B) A minimum of 10 contact hours of training or coursework
12 in human sexuality as specified in Section 25, and any regulations
13 promulgated thereunder.

14 (C) A minimum of 15 contact hours of training or coursework
15 in alcoholism and other chemical substance dependency, as
16 specified by regulation.

17 (D) A minimum of 15 contact hours of coursework or training
18 in spousal or partner abuse assessment, detection, and intervention
19 strategies.

20 (3) The applicant's license is not suspended, revoked, restricted,
21 sanctioned, or voluntarily surrendered in any state.

22 (4) The applicant is not currently under investigation in any
23 other state, and has not been charged with an offense for any act
24 substantially related to the practice of social work by any public
25 agency, entered into any consent agreement or been subject to an
26 administrative decision that contains conditions placed by an
27 agency upon an applicant's professional conduct or practice,
28 including any voluntary surrender of license, or been the subject
29 of an adverse judgment resulting from the practice of social work
30 that the board determines constitutes evidence of a pattern of
31 incompetence or negligence.

32 (5) The applicant shall provide a certification from each state
33 where he or she holds a license pertaining to licensure, disciplinary
34 action, and complaints pending.

35 (6) The applicant is not subject to denial of licensure under
36 Section 480, 4992.3, 4992.35, or 4992.36.

37 (c) The board may issue a license to any person who, at the time
38 of application, ~~has held~~ holds a valid, active clinical social work
39 license ~~for a minimum of four years~~, issued by a board of clinical
40 social work examiners or a corresponding authority of any state,

1 if the person *has held that license for at least four years*
2 *immediately preceding the date of application, the person* passes
3 ~~the board-administered~~ *board-administered* licensing examinations
4 as specified in Section 4996.1, and *the person* pays the required
5 fees. Issuance of the license is conditioned upon all of the
6 following:

7 (1) Completion of the following coursework or training in or
8 out of state:

9 (A) A minimum of seven contact hours of training or coursework
10 in child abuse assessment and reporting as specified in Section 28,
11 and any regulations promulgated thereunder.

12 (B) A minimum of 10 contact hours of training or coursework
13 in human sexuality as specified in Section 25, and any regulations
14 promulgated thereunder.

15 (C) A minimum of 15 contact hours of training or coursework
16 in alcoholism and other chemical substance dependency, as
17 specified by regulation.

18 (D) A minimum of 15 contact hours of coursework or training
19 in spousal or partner abuse assessment, detection, and intervention
20 strategies.

21 (2) The applicant has been licensed as a clinical social worker
22 continuously for a minimum of four years prior to the date of
23 application.

24 (3) The applicant's license is not suspended, revoked, restricted,
25 sanctioned, or voluntarily surrendered in any state.

26 (4) The applicant is not currently under investigation in any
27 other state, and has not been charged with an offense for any act
28 substantially related to the practice of social work by any public
29 agency, entered into any consent agreement or been subject to an
30 administrative decision that contains conditions placed by an
31 agency upon an applicant's professional conduct or practice,
32 including any voluntary surrender of license, or been the subject
33 of an adverse judgment resulting from the practice of social work
34 that the board determines constitutes evidence of a pattern of
35 incompetence or negligence.

36 (5) The applicant provides a certification from each state where
37 he or she holds a license pertaining to licensure, disciplinary action,
38 and complaints pending.

39 (6) The applicant is not subject to denial of licensure under
40 Section 480, 4992.3, 4992.35, or 4992.36.

1 (d) *This section shall become inoperative on the date that*
2 *Section 4996.1, as added by Section 4 of the act adding this*
3 *subdivision, becomes operative.*

4 (e) *This section is repealed as of the January 1 following the*
5 *date that it becomes inoperative.*

6 SEC. 10. Section 4996.17 is added to the Business and
7 Professions Code, to read:

8 4996.17. (a) Experience gained outside of California shall be
9 accepted toward the licensure requirements if it is substantially
10 the equivalent of the requirements of this chapter.

11 (b) The board may issue a license to any person who, at the time
12 of application, holds a valid active clinical social work license
13 issued by a board of clinical social work examiners or
14 corresponding authority of any state, if the person passes or has
15 passed the examinations as specified in Section 4996.1 and pays
16 the required fees. Issuance of the license is conditioned upon all
17 of the following:

18 (1) The applicant has supervised experience that is substantially
19 the equivalent of that required by this chapter. If the applicant has
20 less than 3,200 hours of qualifying supervised experience, time
21 actively licensed as a clinical social worker shall be accepted at a
22 rate of 100 hours per month up to a maximum of 1,200 hours.

23 (2) Completion of the following coursework or training in or
24 out of this state:

25 (A) A minimum of seven contact hours of training or coursework
26 in child abuse assessment and reporting as specified in Section 28,
27 and any regulations promulgated thereunder.

28 (B) A minimum of 10 contact hours of training or coursework
29 in human sexuality as specified in Section 25, and any regulations
30 promulgated thereunder.

31 (C) A minimum of 15 contact hours of training or coursework
32 in alcoholism and other chemical substance dependency, as
33 specified by regulation.

34 (D) A minimum of 15 contact hours of coursework or training
35 in spousal or partner abuse assessment, detection, and intervention
36 strategies.

37 (3) The applicant's license is not suspended, revoked, restricted,
38 sanctioned, or voluntarily surrendered in any state.

39 (4) The applicant is not currently under investigation in any
40 other state, and has not been charged with an offense for any act

1 substantially related to the practice of social work by any public
2 agency, entered into any consent agreement or been subject to an
3 administrative decision that contains conditions placed by an
4 agency upon an applicant's professional conduct or practice,
5 including any voluntary surrender of license, or been the subject
6 of an adverse judgment resulting from the practice of social work
7 that the board determines constitutes evidence of a pattern of
8 incompetence or negligence.

9 (5) The applicant shall provide a certification from each state
10 where he or she holds a license pertaining to licensure, disciplinary
11 action, and complaints pending.

12 (6) The applicant is not subject to denial of licensure under
13 Section 480, 4992.3, 4992.35, or 4992.36.

14 (c) The board may issue a license to any person who, at the time
15 of application, has held a valid, active clinical social work license
16 for a minimum of four years, issued by a board of clinical social
17 work examiners or a corresponding authority of any state, if the
18 person passes or has passed the examinations as specified in
19 Section 4996.1 and pays the required fees. Issuance of the license
20 is conditioned upon all of the following:

21 (1) Completion of the following coursework or training in or
22 out of state:

23 (A) A minimum of seven contact hours of training or coursework
24 in child abuse assessment and reporting as specified in Section 28,
25 and any regulations promulgated thereunder.

26 (B) A minimum of 10 contact hours of training or coursework
27 in human sexuality as specified in Section 25, and any regulations
28 promulgated thereunder.

29 (C) A minimum of 15 contact hours of training or coursework
30 in alcoholism and other chemical substance dependency, as
31 specified by regulation.

32 (D) A minimum of 15 contact hours of coursework or training
33 in spousal or partner abuse assessment, detection, and intervention
34 strategies.

35 (2) The applicant has been licensed as a clinical social worker
36 continuously for a minimum of four years prior to the date of
37 application.

38 (3) The applicant's license is not suspended, revoked, restricted,
39 sanctioned, or voluntarily surrendered in any state.

1 (4) The applicant is not currently under investigation in any
2 other state, and has not been charged with an offense for any act
3 substantially related to the practice of social work by any public
4 agency, entered into any consent agreement or been subject to an
5 administrative decision that contains conditions placed by an
6 agency upon an applicant's professional conduct or practice,
7 including any voluntary surrender of license, or been the subject
8 of an adverse judgment resulting from the practice of social work
9 that the board determines constitutes evidence of a pattern of
10 incompetence or negligence.

11 (5) The applicant provides a certification from each state where
12 he or she holds a license pertaining to licensure, disciplinary action,
13 and complaints pending.

14 (6) The applicant is not subject to denial of licensure under
15 Section 480, 4992.3, 4992.35, or 4992.36.

16 (d) This section shall become operative on the date that Section
17 4996.1, as added by Section 4 of the act adding this subdivision,
18 becomes operative.

19 *SEC. 10.5. Section 4996.17 is added to the Business and*
20 *Professions Code, to read:*

21 *4996.17. (a) Experience gained outside of California shall be*
22 *accepted toward the licensure requirements if it is substantially*
23 *the equivalent of the requirements of this chapter.*

24 *(b) The board may issue a license to any person who, at the*
25 *time of application, holds a valid active clinical social work license*
26 *issued by a board of clinical social work examiners or*
27 *corresponding authority of any state, if the person passes or has*
28 *passed the examinations as specified in Section 4996.1 and pays*
29 *the required fees. Issuance of the license is conditioned upon all*
30 *of the following:*

31 *(1) The applicant has supervised experience that is substantially*
32 *the equivalent of that required by this chapter. If the applicant has*
33 *less than 3,200 hours of qualifying supervised experience, time*
34 *actively licensed as a clinical social worker shall be accepted at*
35 *a rate of 100 hours per month up to a maximum of 1,200 hours.*

36 *(2) Completion of the following coursework or training in or*
37 *out of this state:*

38 *(A) A minimum of seven contact hours of training or coursework*
39 *in child abuse assessment and reporting as specified in Section*
40 *28, and any regulations promulgated thereunder.*

1 (B) A minimum of 10 contact hours of training or coursework
2 in human sexuality as specified in Section 25, and any regulations
3 promulgated thereunder.

4 (C) A minimum of 15 contact hours of training or coursework
5 in alcoholism and other chemical substance dependency, as
6 specified by regulation.

7 (D) A minimum of 15 contact hours of coursework or training
8 in spousal or partner abuse assessment, detection, and intervention
9 strategies.

10 (3) The applicant's license is not suspended, revoked, restricted,
11 sanctioned, or voluntarily surrendered in any state.

12 (4) The applicant is not currently under investigation in any
13 other state, and has not been charged with an offense for any act
14 substantially related to the practice of social work by any public
15 agency, entered into any consent agreement or been subject to an
16 administrative decision that contains conditions placed by an
17 agency upon an applicant's professional conduct or practice,
18 including any voluntary surrender of license, or been the subject
19 of an adverse judgment resulting from the practice of social work
20 that the board determines constitutes evidence of a pattern of
21 incompetence or negligence.

22 (5) The applicant shall provide a certification from each state
23 where he or she holds a license pertaining to licensure, disciplinary
24 action, and complaints pending.

25 (6) The applicant is not subject to denial of licensure under
26 Section 480, 4992.3, 4992.35, or 4992.36.

27 (c) The board may issue a license to any person who, at the time
28 of application, holds a valid, active clinical social work license
29 issued by a board of clinical social work examiners or a
30 corresponding authority of any state, if the person has held that
31 license for at least four years immediately preceding the date of
32 application, the person passes or has passed the examinations as
33 specified in Section 4996.1, and the person pays the required fees.
34 Issuance of the license is conditioned upon all of the following:

35 (1) Completion of the following coursework or training in or
36 out of state:

37 (A) A minimum of seven contact hours of training or coursework
38 in child abuse assessment and reporting as specified in Section
39 28, and any regulations promulgated thereunder.

1 (B) A minimum of 10 contact hours of training or coursework
2 in human sexuality as specified in Section 25, and any regulations
3 promulgated thereunder.

4 (C) A minimum of 15 contact hours of training or coursework
5 in alcoholism and other chemical substance dependency, as
6 specified by regulation.

7 (D) A minimum of 15 contact hours of coursework or training
8 in spousal or partner abuse assessment, detection, and intervention
9 strategies.

10 (2) The applicant has been licensed as a clinical social worker
11 continuously for a minimum of four years prior to the date of
12 application.

13 (3) The applicant's license is not suspended, revoked, restricted,
14 sanctioned, or voluntarily surrendered in any state.

15 (4) The applicant is not currently under investigation in any
16 other state, and has not been charged with an offense for any act
17 substantially related to the practice of social work by any public
18 agency, entered into any consent agreement or been subject to an
19 administrative decision that contains conditions placed by an
20 agency upon an applicant's professional conduct or practice,
21 including any voluntary surrender of license, or been the subject
22 of an adverse judgment resulting from the practice of social work
23 that the board determines constitutes evidence of a pattern of
24 incompetence or negligence.

25 (5) The applicant provides a certification from each state where
26 he or she holds a license pertaining to licensure, disciplinary
27 action, and complaints pending.

28 (6) The applicant is not subject to denial of licensure under
29 Section 480, 4992.3, 4992.35, or 4992.36.

30 (d) This section shall become operative on the date that Section
31 4996.1, as added by Section 4 of the act adding this subdivision,
32 becomes operative.

33 SEC. 11. Sections 5.5 and 6.5 of this bill incorporate
34 amendments to Section 4996.3 of the Business and Professions
35 Code proposed by both this bill and AB 2191. Sections 5.5 and
36 6.5 of this bill shall only become operative if (1) both bills are
37 enacted and become effective on or before January 1, 2011, (2)
38 each bill amends Section 4996.3 of the Business and Professions
39 Code, and (3) this bill is enacted after AB 2191, in which case
40 Sections 5 and 6 of this bill shall not become operative.

1 *SEC. 12. Sections 9.5 and 10.5 of this bill incorporate*
2 *amendments to Section 4996.17 of the Business and Professions*
3 *Code proposed by both this bill and SB 1489. Sections 9.5 and*
4 *10.5 of this bill shall only become operative if (1) both bills are*
5 *enacted and become effective on or before January 1, 2011, (2)*
6 *each bill amends Section 4996.17 of the Business and Professions*
7 *Code, and (3) this bill is enacted after SB 1489, in which case*
8 *Sections 9 and 10 of this bill shall not become operative.*

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